

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 10, NASHVILLE RESIDENT OFFICE**

**TAYLOR MOTORS, INC.**

**Respondent**

**and**

**AMERICAN FEDERATION OF GOVERNMENT  
EMPLOYEES, LOCAL 2022, AFL-CIO**

**Cases 10–CA–141565  
10–CA–141578  
10–CA–145467**

**Union**

**GENERAL COUNSEL’S MOTION TO REMAND THIS PROCEEDING TO THE  
REGIONAL DIRECTOR TO PROCESS WITHDRAWAL REQUEST**

Counsel for the General Counsel respectfully moves that the Board remand this proceeding to the Region to process the Charging Party Union’s request to withdraw its unfair labor practice charge in Case 10–CA–145467, the only case among the three cases in the caption that is currently before the Board.

Cases 10–CA–141565, 10–CA–141578, and 10–CA–145467 are the subject of a Board Supplemental Decision and Order issued on April 20, 2018 in 366 NLRB No. 69 (2018). In this decision, the Board severed Case 10–CA–145467 from Cases 10–CA–141565, 10–CA–141578 and retained for further consideration the complaint allegation in Case 10–CA–145467 that Respondent violated Section 8(a)(1) of the Act by maintaining a confidentiality/nondisclosure agreement. The Board otherwise adopted in 366 NLRB No. 69 the Administrative Law Judge’s supplemental decision in Cases 10–CA–141565 and 10–CA–141578.<sup>1</sup> The remaining allegation that Respondent violated Section 8(a)(1) of the Act by maintaining the confidentiality/nondisclosure agreement is the sole allegation in Case 10–CA–145467 and Case 10–CA–145467 is the only case remaining before the Board.

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<sup>1</sup> On July 14, 2015, Administrative Law Judge Keltner Locke issued a decision finding that Respondent violated Section 8(a)(1) of the Act. On March 13, 2017, in 365 NLRB No. 21 (2017), the Board remanded the cases back to Judge Locke to clarify his credibility determinations. Judge Locke issued a supplemental decision on September 29, 2017, again finding that Respondent violated Section 8(a)(1) of the Act and further clarifying his credibility determinations. Respondent filed exceptions. The Board’s April 30, 2018 decision in 366 NLRB No. 69 adopted the Judge’s decision that Respondent violated Section 8(a)(1) of the Act by interrogating employees about their union activities and by suspending and discharging an employee and issued an Order remedying all of the allegations in Cases 10–CA–141565 and 10–CA–141578. Respondent complied with the Board’s Order in those cases and the Region, on July 12, 2018, closed Cases 10–CA–141565 and 10–CA–141578 on compliance.

On October 15, 2018, the Board issued a Notice to Show Cause why the issue whether Respondent's confidentiality/nondisclosure agreement violates Section 8(a)(1) of the Act should not be remanded to the Administrative Law Judge for further processing in light of the Board's decision in *Boeing Co.*, 365 NLRB No. 154 (2017). On October 16, 2018, in response to that Notice, the Union submitted to the Region a written request to withdraw its charge in Case 10–CA–145467. The Union no longer wishes to pursue the allegation regarding the confidentiality/nondisclosure agreement.

Accordingly, Counsel for the General Counsel respectfully requests that the Board remand Case 10–CA–145467 to the Region to process the Union's withdrawal request. Respondent does not object to this request.

Submitted this 19th day of October, 2018

/s/ Katherine Miller  
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**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing Counsel for the General Counsel's Motion to Remand have been served by electronic mail on Friday, October 19, 2018, on the following:

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